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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,526	10/18/2005	Thomas Arend	08516.0012	7402

22852   7590   01/08/2008
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EXAMINER
CONTINO, PAUL F

ART UNIT	PAPER NUMBER
2114	

MAIL DATE	DELIVERY MODE
01/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/522,526	AREND, THOMAS
	Examiner	Art Unit	
	Paul Contino	2114	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8,11 and 13-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8,11 and 13-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>26 January 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION: Non-Final Rejection

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claims 1-8, 11, and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Wookey et al. (U.S. Patent No. 6,237,114).

As in claim 1, Wookey et al. discloses a computer system comprising:

a main system that executes an application in cooperation with a human user *(column 3*

lines 39-41, monitored computer system 102);

an auxiliary system to evaluate problems in the main system using a service module to

collect problem related data from the main system *(Figs. 1A,B; column 3 lines 55-56, computer*

system 100), wherein the auxiliary system determines a context of the evaluated problems and

distinguishes versions of the main system *(column 5 lines 10-47 and column 10 lines 8-18, where*

the hierarchy is a representation of various contexts of a main system);

a knowledge module that stores knowledge representations by classifying the knowledge

representations into context groups *(Figs. 1A and 3-7; columns 5-8)*, wherein each context group

is classified according to at least one predefined context *(Figs. 3-7; columns 5-8)*, wherein the

knowledge representations comprise entries for specific problem symptoms and corresponding solutions *(Fig. 13; column 16 line 60 through column 19 line 58)*, and wherein the knowledge module distinguishes the context with a primary context and a secondary context, with the secondary context referenced from the primary context *(Figs. 3-7; columns 5-8, hierarchy tree)*; and

an inference module that processes problem related data with knowledge representations where the context of the evaluated problems is used to select at least one context group of the knowledge representations to identify solutions, wherein the inference module forwards the solutions through the service module to the main system *(column 16 line 60 through column 19 line 58)*.

As in claim 2, Wookey et al. discloses the auxiliary system distinguishes context and versions relating to the application *(column 5 lines 10-47 and column 10 lines 8-18)*.

As in claim 3, Wookey et al. discloses the auxiliary system distinguishes context and versions by using a check lexicon in the knowledge module *(columns 5-6, column 8 lines 2-24 and column 10 lines 8-27, where a "check lexicon" is used to pair/build incoming tokens with the proper static hierarchy trees)*.

As in claim 4, Wookey et al. discloses the check lexicon lists details for the knowledge representations, wherein the details depend on a version of the main system *(Figs. 3-7; columns 5-6, column 8 lines 2-24 and column 10 lines 8-27)*.

As in claim 5, Wookey et al. discloses the check lexicon lists details for the knowledge·

representations, wherein the details depend on a version of the application *(Figs. 3-7; columns 5-*

6, column 8 lines 2-24 and column 10 lines 8-27).

As in claim 6, Wookey et al. discloses the check lexicon lists details for the knowledge

representations, wherein the details depend on the context of the problem *(Figs. 3-7; columns 5-*

6, column 8 lines 2-24 and column 10 lines 8-27).

As in claim 7, Wookey discloses the check lexicon lists details for the knowledge

representations that depend on a version of the main system *(Figs. 3-7; columns 5-6, column 8*

lines 2-24 and column 10 lines 8-27).

As in claim 8, Wookey et al. discloses the check lexicon uses parameters for versions and

contexts *(columns 5-6, column 8 lines 2-24 and column 10 lines 8-27)*.

As in claim 11, Wookey et al. discloses the knowledge module makes knowledge

representations selectively available or non-available according to a selected context *(Figs. 3-7;*

columns 5-6 and column 17 lines 39-44).

As in claim 13, Wookey et al. discloses a computer system comprising:

a main system that executes an application in cooperation with a human user *(column 3*

lines 39-41, monitored computer system 102);

an auxiliary system to evaluate problems in the main system using a service module to collect problem related data from the main system *(Figs. 1A,B; column 3 lines 55-56, computer system 100)*, wherein the auxiliary system determines a context of the evaluated problems and distinguishes versions of the main system *(column 5 lines 10-47 and column 10 lines 8-18, where the hierarchy is a representation of various contexts of a main system)*;

a knowledge module that stores knowledge representations by classifying the knowledge representations into context groups *(Figs. 1A and 3-7; columns 5-8)*, wherein each context group is classified according to at least one predefined context *(Figs. 3-7; columns 5-8)*, wherein the knowledge representations comprise entries for specific problem symptoms and corresponding solutions *(Fig. 13; column 16 line 60 through column 19 line 58)*, and wherein the knowledge module makes knowledge representations selectively available or non-available according to a selected context *(Figs. 3-7; columns 5-6 and column 17 lines 39-44)*; and

an inference module that processes problem related data with knowledge representations where the context of the evaluated problems is used to select at least one context group of the knowledge representations to identify solutions, wherein the inference module forwards the solutions through the service module to the main system *(column 16 line 60 through column 19 line 58)*.

As in claim 14, Wookey et al. discloses the auxiliary system distinguishes context and versions relating to the application *(column 5 lines 10-47 and column 10 lines 8-18)*.

As in claim 15, Wookey et al. discloses the auxiliary system distinguishes context and versions by using a check lexicon in the knowledge module *(columns 5-6, column 8 lines 2-24*

and column 10 lines 8-27, where a "check lexicon" is used to pair/build incoming tokens with the

proper static hierarchy trees).

As in claim 16, Wookey et al. discloses the check lexicon lists details for the knowledge

representations, wherein the details depend on a version of the main system *(Figs. 3-7; columns*

5-6, column 8 lines 2-24 and column 10 lines 8-27).

As in claim 17, Wookey et al. discloses the check lexicon lists details for the knowledge

representations, wherein the details depend on a version of the application *(Figs. 3-7; columns 5-*

6, column 8 lines 2-24 and column 10 lines 8-27).

As in claim 18, Wookey et al. discloses the check lexicon lists details for the knowledge

representations, wherein the details depend on the context of the problem *(Figs. 3-7; columns 5-*

6, column 8 lines 2-24 and column 10 lines 8-27).

As in claim 19, Wookey discloses the check lexicon lists details for the knowledge

representations that depend on a version of the main system *(Figs. 3-7; columns 5-6, column 8*

lines 2-24 and column 10 lines 8-27).

As in claim 20, Wookey et al. discloses the check lexicon uses parameters for versions

and contexts *(columns 5-6, column 8 lines 2-24 and column 10 lines 8-27).*

Conclusion

2.   The Examiner would like to thank the Applicant for their integrity in submitting the Information Disclosure Statement dated October 31, 2007.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Contino whose telephone number is (571) 272-3657. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFC
1/4/2008

SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER